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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/672,812	09/26/2003	Guodong Wang	12454.002	8906
7590	09/29/2005		EXAMINER	
Dan McCarthy Parsons Behle & Latimer 201 South Main Street Suite 1800 P O Box 45898 Salt Lake City, UT 84145-0898			NGUYEN, NAM V	
			ART UNIT	PAPER NUMBER
			2635	

DATE MAILED: 09/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/672,812

Applicant(s)

WANG, GUODONG

Examiner

Nam V. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/26/03; 2/17/04</u> | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

The application of Wang for a "garage door opener" filed September 26, 2003 has been examined. This communication is in response to applicant's response filed February 17, 2004.

This application claims foreign priority based on the application 02138400.2 filed September 30, 2002 in China. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.

Claim 1 is pending.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Murray (US# 6,903,650) in view of Study et al. (US# 6,941,136).

Referring to claim 1, Murray discloses a garage door opener (10) (i.e. a garage door operator system) (column 2 lines 33 to column 3 line 8; see Figures 1 and 2), comprising:

at least two radio frequency transmitters (40a to 40x) (i.e. wireless remote transmitters), said radio frequency transmitter (40a) producing a non-user changeable radio frequency code signal (column 4 lines 17 to 37; column 5 lines 4 to 27; see Figures 1 and 2);

a radio frequency receiver (70) (i.e. a RF receiver) being adapted to receive the code signals from the at least two radio frequency transmitters (40a to 40x), codes produced by a first radio frequency transmitter (40a) and a second radio frequency transmitter (40b) being different (column 4 lines 17 to column 5 line 27; see Figures 1 and 2);

characterized by: a memory (62), each memory (63a to 63f) (i.e. memory locations) corresponding to one radio frequency transmitter (40a) and storing a code of a corresponding radio frequency transmitter (40a), each memory (63a to 63f) (i.e. each memory locations) connected to a processor (60) (i.e. a controller) (column 4 lines 17 to 37; column 5 lines 4 to 58; see Figures 1 and 2);

the processor (60) (i.e. a controller), when the radio frequency receiver (70) receives the code signal from the radio frequency transmitter (40a) and sends it to the processor (60), the processor (60) decoding the code signal from the radio frequency receiver (70) and comparing the decoded codes with that stored in each memory (63a to 63f) (i.e. each of memory locations), and once the codes are identical after comparing, the processor (60) sending a signal to control an operation of the garage door (12) (column 4 lines 58 to column 5 line 27; see Figures 1 and 2).

However, Murray did not explicitly disclose at least two memories.

In the same field of endeavor of a garage door operator system, Study et al. teach that at least two memories (26 and 27) (i.e. memory modules) (column 3 lines 19 to column 4 line 9; column 4 line 54 to column 5 line 7; see Figures 2 to 5) in order to obtain the best strategy for ease of subsequent removal of memory modules and for blocking such that a transmitter can not be used.

One of ordinary skilled in the art recognizes the need to add memory modules in a control device of Murray et al. in a memory device that have a plurality of storage locations in a garage door operator system of Murray because Murray suggests it is desired to provide that memory has a plurality of memory locations to store codes specifically associated with transmitters of any type that incorporating into a control device (column 4 lines 38 to 57; column 6 lines 12 to 32) and Study et al. teach that using a plurality of memory interfaces to add or remove memories in a variety of ways to registered transmitters for authorized use or temporarily be blocked from authorized use (column 3 line 47 to column 4 line 9; column 4 line 54 to column 5 line 5) in order to change or to remove memory modules easily by a user and to increase security in a control device. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to add memory modules in a control device of Murray et al. in a memory device that have a plurality of storage locations in a garage door operator system of Murray with the motivation for doing so would have been to provide an ease of subsequent removal of memory modules and also to increase security and reliable garage door operator system.

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Martel (US# 5,473,318) discloses a secure remote control system with receiver controlled to add and delete identity codes.

Drori (US# 5,650,774) discloses an electronically programmable remote control access system.

Christenson (US# 5,933,090) discloses a method and apparatus for field programming a remote control system.

Ahlstrom et al. (US# 6,728,351) disclose an access control system having tenant codes that may be selectively displayed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nam Nguyen  
September 21, 2005



MICHAEL HORABIK  
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